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# DECISION



THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D.C. 20548

**FILE:** B-216741 **DATE:** January 18, 1985  
**MATTER OF:** Rozier, Sidbury & Co., Inc.

## DIGEST:

Bid that fails to include prices for an option year of services is nonresponsive and must be rejected, where the invitation requires such prices and provides that they will be evaluated for award.

Rozier, Sidbury & Co., Inc., protests the Department of the Army's decision to reject its bid as being nonresponsive under invitation for bids (IFB) No. DAHC30-84-B-0064, covering the Army's indefinite-quantity requirements for drycleaning services at Fort Myer, Virginia. The IFB provided for a basic performance period of 1 year plus an additional year at the government's option, for which the IFB contained separate line items for bidders to complete with prices. The IFB further provided, in the Evaluation Factors for Award section, that an aggregate award would be made to the responsive, responsible bidder offering the lowest total price for the basic year plus the option year. The protester failed to submit definite prices for the option, instead inserting "Will Negotiate."

We agree with the Army that the failure to offer a definite price for the option period rendered the protester's bid nonresponsive, necessitating its rejection, and we therefore deny the protest.

The question of a bid's responsiveness involves whether the bid at bid opening represents an offer to comply with the IFB's material terms, which include the requirement for a firm, fixed price. Grosfeld Enterprises, B-208654, Jan. 31, 1983, 83-1 C.P.D. ¶ 106. The requirement for fixed prices extends to options where the IFB requires prices for those items and provides that such prices will be evaluated to determine the awardee. JBS, Inc., B-201207, Mar. 18, 1981, 81-1 C.P.D. ¶ 211.

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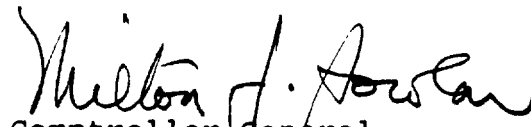
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That the government may never exercise the option is not relevant to bid responsiveness where the IFB contemplates a priced, evaluated option that is to be exercised at the government's sole discretion; a bidder's failure to submit prices for the option year usurps the government's prerogative because it leaves the bidder with no obligation to perform any of the option items at any particular price. See JBS, Inc., supra. Such failure essentially gives the bidder an opportunity, not afforded to responsive bidders, to accept or reject the unpriced work after bid opening. See Space Services of Georgia, Inc., B-214499, Aug. 15, 1984, 84-2 C.P.D. ¶ 183. Further, because of the lack of obligation to the government and the prejudice to other bidders, any bid failing to offer a fixed price for option quantities generally may not be corrected after bid opening. E. H. Morrill Co., 63 Comp. Gen. 348 (1984), 84-1 C.P.D. ¶ 508; JBS, Inc., supra.

The protester argues that nothing in the IFB expressly required the submission of prices for the option year. The Evaluation Factors for Award section, however, clearly notified bidders that any award would be made in the aggregate based on the lowest total price for the basic year plus the option year. Moreover, the standard Preparation of Bid clause, incorporated by reference into the IFB, required bidders to insert a price for each item offered. We therefore believe that the requirement to submit prices for the option period was clearly stated, and that the protester's bid properly was rejected. See JBS, Inc., supra.

While Rozier, Sidbury & Co. also argues that it was against the government's interest to accept a higher priced (albeit responsive) bid, the integrity of the competitive bidding process outweighs any monetary savings the government might accrue by waiving a material deficiency in any particular bid. See Sierra/Misco, Inc., B-216147, Sept. 18, 1984, 84-2 C.P.D. ¶ 320.

The protest is denied.

  
Comptroller General  
of the United States